

AMENDMENTS TO THE DRAWINGS:

Attached hereto please find corrected and annotated Figures 1 and 2.

REMARKS

By the foregoing amendment, Applicants have addressed the Examiner's rejections under 35 U.S.C. §112. Specifically, Claims 1, 22, 33, and 39 have been amended to clearly indicate that the range is "about 250 nm to 30 microns". This change makes the claim definite by avoiding the expression, "about a microwave wavelength". Since 30 microns is within the range of microwave wavelengths, no new matter is being added.

Claims 2-21, 23-32 and 34-38 should now also be acceptable as being dependent upon the corrected claims.

Claims 8, 25 and 34 have been amended to adopt the Examiner's suggestion of "different from" instead of "non-equivalent". Accordingly, the rejection under 35 U.S.C. §112 of Claims 8, 25 and 34 should now be overcome.

Claim 16 has been amended to overcome the indefiniteness with respect to the expression "a range of about 30 nm". The claim now does not include the words "in a range".

Applicants do not believe that Claims 18 and 19, as written, are indefinite and for clarification, the Examiner's stated understanding of these claims is consistent with the meaning intended by the Applicants.

By the foregoing amendment, Applicants are also correcting minor errors to Figures 1 and 2 of the drawings. Revised new drawings of Figures 1 and 2 are attached hereto along with an annotated copy thereof showing the changes.

The Examiner's rejections to the claims under 35 U.S.C. §102 and 103 is also believed overcome by the foregoing amendments to the claims. Specifically, the independent claims now recite "a plurality of dielectrics substantially between said substrate and said at least two groove layers." Neither Silverstein nor Imaizumi disclose a polarizer having nanostructures, groove layers and a plurality of dielectrics between a substrate and the groove layers. Silverstein, in particular, describes a dielectric layer between substrate 505 and groove layer 504 (cited by the Examiner at lines 53-63, column 16, Figure 8d). Imaizumi shows dielectric material formed between the nanostructure elements 3a, 3b The Examiner has pointed out in his comments that such dielectric material could be substituted for the grooves in Silverstein's polarizer. However, Imaizumi does not disclose a grooved structure. In fact, Imaizumi discusses the disadvantages of a grooved structure in the prior art section of the disclosure. The only layer between the substrate and the nanostructure of Imaizumi is the single dielectric layer 5. The plurality of dielectrics provided by Applicants are used to optimize performance.

In view of the foregoing, it is respectfully submitted that the art relied on by the Examiner does not anticipate or render obvious the invention defined by the claims as amended herein.

Accordingly, reconsideration and allowance is respectfully requested.

Should there be any fees due and owing as a result of the within amendments, or should there be any fees paid in excess of any required amount, with respect to this application, the Examiner is authorized to charge any such amount due and owing, or credit any such fees paid in excess to Deposit Account No. 50-1529.

Respectfully submitted,

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AD:jlw

ANNOTATED REPLACEMENT DRAWING

1 of 2

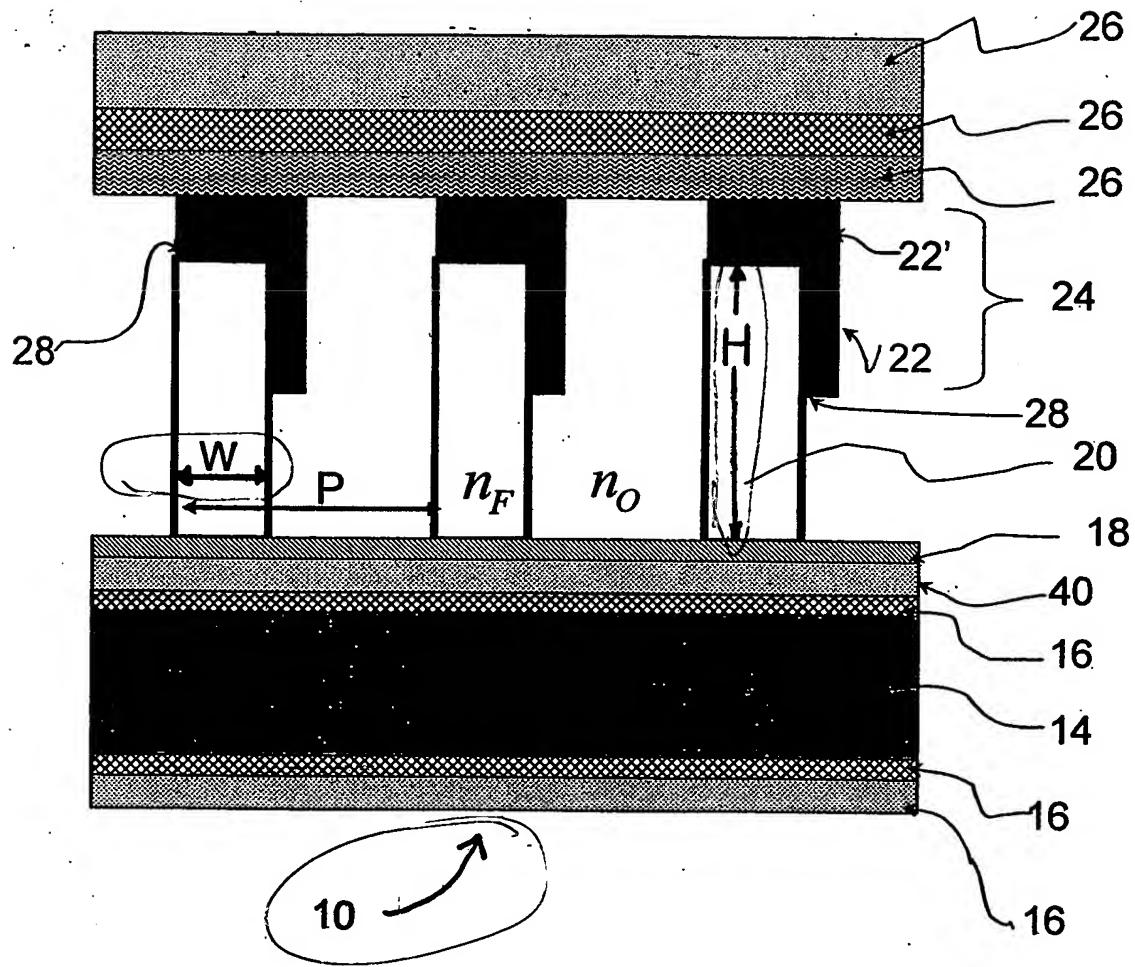


FIGURE 1.

ANNOTATED REPLACEMENT DRAWING

2 of 2

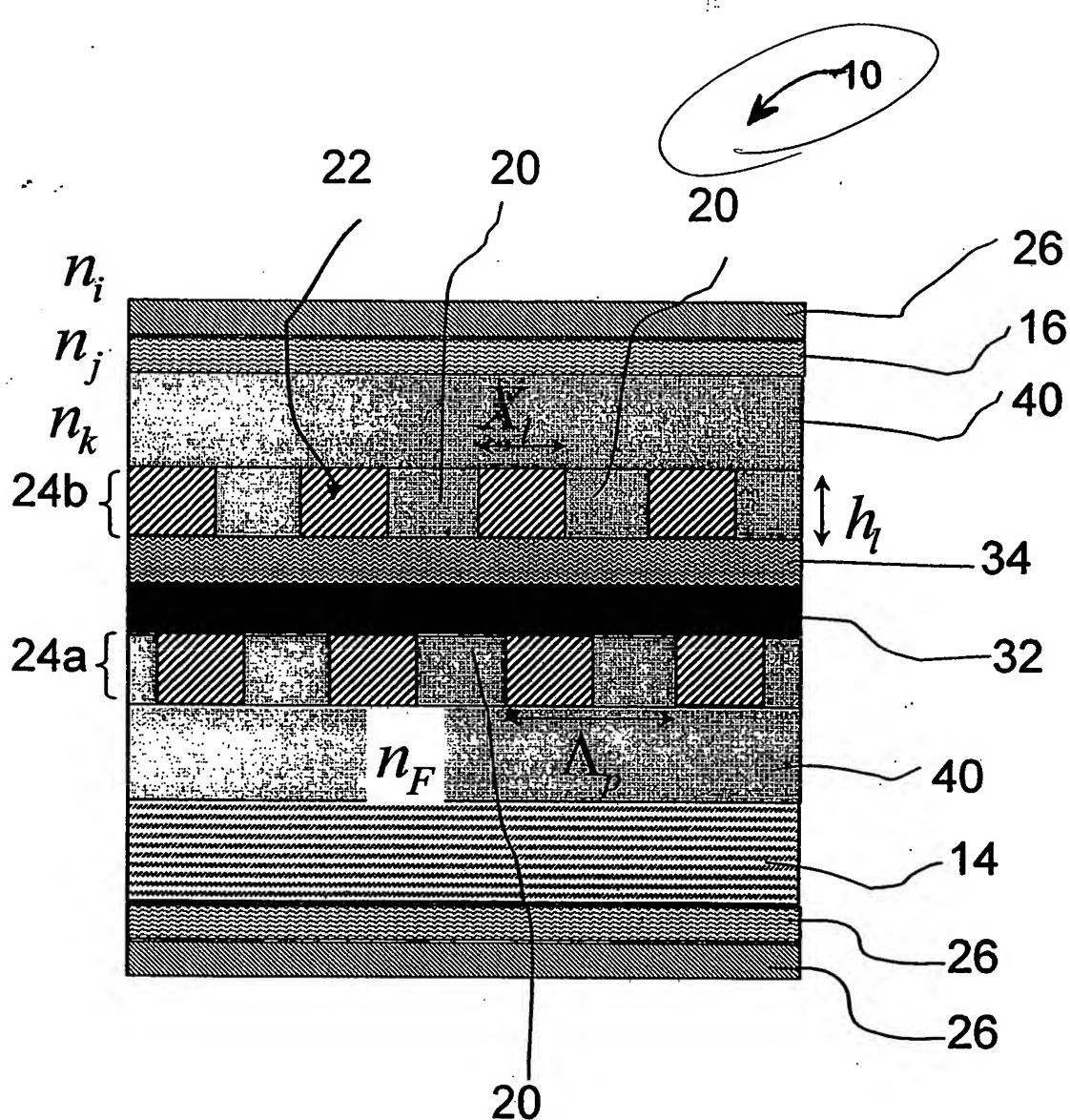


FIGURE 2.